App. F. IX-4

Previous References

1932.
(Mayrai)

File No. 139-32

Serial Nos. ~~847.~~ ~~9440.~~ 840

Later References

Law 76-33 (1-5)
" 130 36 - 1

Mis 100-33 (3-7)

General and Revenue Secretariat.

Law 13-38-1-4

Serial Nos. 2

Part B for April 33

SUBJECT.

Review petition of the Archak of Sri Champaka-dhama Swami temple at Bamerighatta in the matter of regi stering name of the temple lands in his name

Sl 9

Ld. Mr V. R. Vasudeva Sastri Advocate Bangalore

No. 1499 of 21-4-33

- forwards a Copy of the decision in the review.

General and Revenue Secretariat — Mur 3 File No. 139 of 1932-33

Serial No.

Mur3 Review appeal petition filed on 26/1/33
6 by Mr Vasudeva Sastri Advocate Bangalore
on behalf of his client one Narasaiah
Archak of Sri Channakeshava Swami
temple Bannerghatta Anekal Taluk
Stating that the order rejecting the appeal peti
is an ex-parte one in as much as the appellan
was not given an opportunity to represent
the case personally and praying that
the case be restored to file and he
be heard some h place on the Matters
facts in support of his claim for reasons
set forth therein.

(1) Mur3 Appl 5 of 32-33 preferred by the Appl.
was rejected without hearing as per order in para
18 - Mur3 139-32-3 posted for rejn & the
orders were communicated to the Advocate for
the petitioner in this office letter No. 969
of 27-12-32

(2) The present review petition is based
on the grounds enumerated in heads 1, 2 & 3
of the P. A. D.

(3) Mr Criss of documents which the Advocate
for the petitioner says were not considered before
passing orders are as follows:—

17- (1) Chitta Cadjy for 1855-9 Kula wan Tumakuru
Thaluka — From this it is found that
Majr Nos 14, 37, 44, 48, 25 & 28 are in
the name of one Ramaiya-kadim —

Note—Contn Sheet.

WD 70—GBPM—60,000—13-8-31

2) [illegible] in survey No. [illegible] —
Sagunali Amal for 1862- is in the name of Arcaal Ramaiya - Kadim.

(3) Palla No. 1 from the Bangalore Dt Supdt
issued in 1868 to Ryot Arcaala Ramaswamappa.
Bannerghatta village Jigani Hobli indicating
the details of Palla as hereunder: —

× × × ×

[illegible] —

Rs 44-11-1.

× × × ×

Stalawar —
Nos 25+28 (wet)
Nos 14, 37, 44+48 (dry).

On the reverse of the Cells annexed to the
Pattah are found the payments of Kandayam
Tahsildar from 1868 to 1873-4 are found.
How far these are like with original is
a matter for verification when the original
ones are produced —

Ramaiya is invited to the Khata × Nagar.
for 1874-75. Among the Vernacular records
in the file. During that year it was in
the name of Ramaswami Sin Ramayya
& in 1875-76 it was transfd to Ramayya
Ramaswami's [illegible] dec'd. —
+ This was changed in 1876-77 to the name
of Sri Champakadhama Swami - (Nagar.)
This assessment given by the M.C. is Nagar - 4 -

General and Revenue Secretariat

File No. 139 of 1932-3

Serial No.

5336

The request of the petitioner for a hearing be given to for orders —

G.S. (No) ~~of~~ 2

Kind reference is invited to the 2nd Members minutes at para 18 of the notes in respect connection file No 139-32 pt 1 & 2 and to para 21 also. The petr has no case.

7/2/33

(Sd) Illegible

(Sd) Illegible

He wants to be heard. May be included in the next batch of cases to be heard —

23/2/33

Posted to Wednesday The 5th April 1933.

10) This Case was heard on 5/4/33 the petitioner was present with his lawyer Mr. Vasudeva Sastry.

11) There are no reasons to reconsider the orders already passed

5/4/33

5/2

G.S. (No) 5/4/33

12

13) 18/4

NOTE—Contn Sheet.

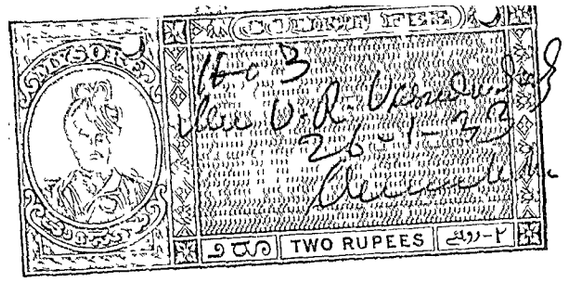
WD 70—GBPM—60,000—13-8-31

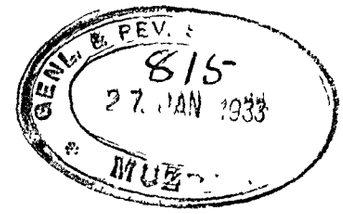
Mysore File No. 139 of 1933 | General and Revenue Secretariat

No 1499 of 26/4/33 to Mr V. R. Vasudeva Sastri Advocate forwarding petitioner forwarding Copy of the decision in the review filed by him.

No 1500 of 26/4/33 to the Mysore Commissioner forwarding Copy of the decision in the Case.

Do
3/5





BEFORE THE GOVERNMENT OF MYSORE ,BANGALORE.

Muz. ~~Appl~~. Revision No. ~~472~~ of 1932- 33.

- - - - - - - -

Appellant (Petitioner)

NARANACHAR.

VS.

RESPONDENT(opponent)

Government of Mysore.

****

Re : the Change of patta of S. No.s.97 176, 178, 214, 221 ,224 and 321 of Bannerghatta to the name of Sri Champakadhamaswami --

The petitioner abovenamed begs to submit that this appeal in No. 472 of 1932- 1933 preferred from the order of the Muzrai Commissioner to this Honourable Court in the matter of change of patta of survey numbers referred to above has been rejected and an endorsement to this effect has been served upon him. Whereof this petitioner begs to file this petition for reviewing the order passed in the said appeal on the following among other grounds :--

1. The present order has been an ex-parte order in as much the appellant was not given an opportunity to represent his case properly

properly through his Counsel. Further he has been as well deprived of an opportunity to place some of the documents supporting his Case, before this Honourable Court. This ex-parte order has caused materially a great loss to the appellant.

(2). Just three or four days before this order was passed the appellant had filed some documents in support of his case and the petitioner feels that these documents have not been considered by this Court.

(3). Further the change of patta as it now stands involves a material irregularity in procedure, as the procedure prescribed by Revenue law has not been followed. The Muzrai Department cannot at all sit in judgement over matters of this kind and change pattas. This Honourable Court have not considered this aspect of the question.

(4). If the appellant had been given a hearing date, he would have placed all the material facts of the case, before this Honourable Court. He further feels that a serious loss would be caused to him

to him if a decision is not given on true merits of the case, after hearing him.

5) WHEREFORE, this petitioner humbly prays that this-Honourable Court may kindly be pleased to reconsider and restore his case to the file again and give him an hearing date so that he may place all the material facts in support of him.

Dated Bangalore City, this 17 th day of January, One Thousand Nine Hundred Thirty Three.

Petitioner.

Advocate for the Petitioner.

BEFORE THE GOVERNMENT OF HIS HIGHNESS

THE MAHARAJA OF MYSORE.

*****:0:*****

8

Muzrai Review No. 14 of 32-33.

Petitioner:-

Naranachar, Bannerghatta Village, Anekal Taluk.

Subject -

Prayer for a review of decision in Muzrai Appeal No. 5 of 1932-33 re- the change of Patta of Survey Nos. 97, 176, 178, 214, 221, 224 and 32 of Bannerghatta Village, Anekal Taluk from the personal name of the archak of Sri Champakadhamaswami Temple to the name of the deity.

This case was heard on the 5th April 1933. The petitioner was present with his Lawyer Mr. V.R. Vasudeva Sastri.

O r d e r .

There are no reasons to reconsider the orders already passed.

B Muniswamy Chetty
for Financial Secretary

14-99 dy 26/4/33
Mus 139-32-9
To Mr C R. Vasudeva Sastri Bar
Advocate for the petitioner
intimating the decision in the Case.

No 1500 dy 26/4/33 to the Mysore
Commissioner forwarding Copy of the
decision in the Case.

21/6

A.No 815

(G)

e the Government of His Highness the
Maharaja of Mysore.

9

Mug Review Appeal No. 14 of 32-33.

~~Appellant.~~ Petitioner —Vs.— Respondent

Nanjunachar, Bannerghatta Village.
Anekal Tk.

Subject.

Prayer for a review of decision in mug Appl no. 5 of 1932-33 re: The change of Patte of S. Nos 97, 176, 178, 214, 221, 226 and 32 of Bannerghatta Village Anekal Tk from the personal name of the Archak of Sri Champaka Dhama Swami Temple to the name of the Deity.

This case was heard on 5/4/33. The petitioner was present with his Lawyer Mr V. R. Nadkarni & Vaidi.

Order

There are no reasons to

GPB—1,000—S-S-11

Recorded The orders already passed

1500 Sue 2 Subs § 26-4-33.
Mag 188-32
Copy to M.C. returning records received from him on the subject

B.O

13/4
for H/see

1499 § 26/4/33.
Mag 135-32-9.
Cd. in Mr V. R. Vasudeva Sastri
B.A. LLB. Advocate for the petitioner

B.O

13/4
for H/see

Ab
RR
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